

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

IN THE MATTER OF
THE EXTRADITION OF
LIKIAK PHILLIP

NO. MJ10-224

DETENTION ORDER

Offenses charged:

Likiak Phillip was arrested to answer a complaint seeking his extradition to the Federated States of Micronesia. The respondent is being sought by authorities in Micronesia to answer charges that he committed the crime of Theft of National Government Funds, in violation of 11 F.S.M.C. 602, as defined in 11 F.S.M.C. 601(11).

Date of Detention Hearing: June 7, 2010

The Court conducted an initial hearing on the charges on May 27, 2010, and set this matter for a detention and status of extradition hearing on June 7, 2010. The federal statute that implements the extradition treaties of the United States, Title 18 U.S.C. §§ 3184 et seq., does not provide for bail. The Bail Reform Act is not otherwise applicable to an international extradition. *Kamrin v. United States*, 725 F.2d 1225, 1227-28 (9th Cir.), cert. denied, 469 U.S. 817 (1984).

At the detention and status of extradition hearing, the Court concluded that detention should be ordered in this case, in the absence of “special circumstances” that would otherwise

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1 dictate a contrary result. There are no special circumstances in this case, and it appears that
2 defendant may have fled Micronesia in an attempt to avoid charges.

3 An extradition hearing has been scheduled for June 28, 2010.

4 IT IS THEREFORE ORDERED:

5 (1) Defendant shall be detained pending trial and committed to the custody of the
6 Attorney General for confinement in a correction facility separate, to the extent
7 practicable, from persons awaiting or serving sentences or being held in custody
8 pending appeal;

9 (2) Defendant shall be afforded reasonable opportunity for private consultation with
10 counsel;

11 (3) On order of a court of the United States or on request of an attorney for the
12 government, the person in charge of the corrections facility in which defendant
13 is confined shall deliver the defendant to a United States Marshal for the
14 purpose of an appearance in connection with a court proceeding; and

15 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
16 counsel for the defendant, to the United States Marshal, and to the United States
17 Pretrial Services Officer.

18 DATED this 7th day of June, 2010.

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20 JAMES P. DONOHUE
21 United States Magistrate Judge

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